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Indiana Environmental Rules: Waste

Updated through the

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Editor

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How to Refer to (“cite”) a Waste Rule

The Indiana Administrative Code (“IAC”) is a collection of the rules of various State of Indiana boards and agencies. Each board/agency has been assigned a unique identifier (a Title number) for its rules. The rules of the Indiana Solid Waste Management Board (SWMB) are located at Title 329 of the IAC.

Each Title is further subdivided into Articles, Rules, and Sections. For instance, the citation:

329 IAC 10-11-1

refers to the requirements found at Title 329, Article 10, Rule 11, Section 1 of the Indiana Administrative Code.

The Table of Contents to this Volume is useful in understanding the organization of the Waste Rules. It may serve as an outline of the rules. The requirements of 329 IAC 10-11-1, for instance, are located under the following hierarchy:

Title 329	Rules of the SWMB
Article 10	Solid Waste Land Disposal Facilities
Rule 11	Application Procedures
Section 1	..	Permit Requirements

About This Volume

This 2002 INDIANA ENVIRONMENTAL RULES: WASTE volume contains the rules of the Underground Storage Tank Financial Assurance Board and the Indiana Solid Waste Management Board.

The 2002 Edition volume includes all applicable rule changes of these entities published in the *Indiana Register* through December 1, 2001.

- The Indiana Solid Waste Management Board meets at least six times per year. Its main function is rulemaking — adopting new waste rules and amending or repealing existing rules. Making changes to the rules involves a lengthy procedural process which generally takes twelve to eighteen months. You are advised when using this volume always to check both that the text of a rule upon which you are relying is the most current version, and that new or additional requirements have not been imposed.* Further, you are advised to keep aware of new rules or rule changes under development or in the process of promulgation which may affect you at a later date.

The complete and recodified rules of the Indiana Solid Waste Management Board were published in the July 1, 1988 issue of the *Indiana Register*, beginning at 11 IR 3199. These recodified waste rules, and all current amendments and additions to these rules contained in subsequent issues of the *Indiana Register* (through the December 1, 2001 issue) have been incorporated into this 2002 Edition. The changes can be identified because the text of each such amended or new section is followed by a “history line” or “citation line,” indicating the source of the post-July 1, 1988 language. If a section has not been changed since the 1988 date, it will have no history line. If a section has been repealed, it is not included in this volume.

- The January 1, 1993 issue of the *Indiana Register* sets out, beginning at 16 IR 1050, the rules of the Underground Storage Tank Financial Assurance Board. These rules, and all current amendments and additions to these rules have been incorporated into this 2001 Edition. The changes are indicated by the appropriate history line. If a section has not been changed since the January 1, 1993 date, it will have no history line. If a section has been repealed, it is not included in this volume.

Errata. Errors included in rules published in the *Indiana Register* have not been corrected unless these errors were officially corrected by a “notice of errata” published in the *Indiana Register* (through the December 1, 2001 issue). Any such official corrections have been incorporated into the text; such corrections are not referenced in the history lines. Uncorrected errors may be noted by “[sic].”

Readopted rules. Pursuant to Indiana Code 13-14-9.5 (commonly referred to as the “Sunset” provision), a law which provides for the expiration and readoption of administrative rules, all Indiana environmental rules (with specified exceptions) will expire on January 1 of the seventh year after the year in which the rule takes effect, unless readopted. Rules may be readopted pursuant to the publication of a general Notice of Readoption in the *Indiana Register* if no comments are received requesting a closer look at the rule. Rules for which specific review is sought must pass through the general rulemaking process. The history lines in this compilation do not indicate whether a rule has been readopted. However, if a rule is amended during the course of readoption, the history line will reflect the amendment and if a rule is repealed as a result of the review, the provision will be removed from this compilation.

*Availability of updated rule information: To assist you in checking that the text of a rule as published in this volume is the most recent version (i.e., that it has not been amended or repealed subsequent to December 1, 2001, which is the cutoff date for inclusion in this 2002 Waste Rules volume), the Indiana Department of Environmental Management has posted Update Tables on its website. These Tables will be revised monthly.

Any errors that may be discovered to have occurred in the publication of this volume also will be posted at this location.

IDEM's website may be accessed at:

<http://www.state.in.us/idem/rules-index.html>

Marcia J. Oddi
December 11, 2001

Sections Affected During 2001

How does this new 2002 edition of the Waste Rules differ from the last (through December 1, 2000) edition? The following table lists the differences. The table lists the sections of this volume, *2002 Edition of Indiana Environmental Rules: Waste*, that were added (“N” = new), amended (“A” = amended) or repealed (“R” = repealed) as a result of rulemaking actions of the Underground Storage Tank Financial Assurance Board or the Indiana Solid Waste Management Board, and published as “final rules” in the *Indiana Register* during the period from January 1, 2001 through December 1, 2001.

Underground Storage Tank Financial Assurance Board (328 IAC)

<u>Section</u>	<u>Action (N, A or R)</u>
328 IAC 1-1-1	A
328 IAC 1-1-2	A
328 IAC 1-1-3	A
328 IAC 1-1-3.1	N
328 IAC 1-1-4	A
328 IAC 1-1-5	R
328 IAC 1-1-5.1	N
328 IAC 1-1-6	A
328 IAC 1-1-7	A
328 IAC 1-1-8	A
328 IAC 1-1-8.5	N
328 IAC 1-1-9	A
328 IAC 1-1-10	A
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328 IAC 1-3-2	A
328 IAC 1-3-3	A
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328 IAC 1-4-1	A

328 IAC 1-5-1	A
328 IAC 1-5-2	A
328 IAC 1-5-3	N
328 IAC 1-6-1	A
328 IAC 1-6-2	A
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Indiana Solid Waste Management Board (329 IAC)

<u>Section</u>	<u>Action (N, A or R)</u>
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329 IAC 1-1-4	A
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329 IAC 12-2-10	R
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329 IAC 12-2-13	A
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329 IAC 12-2-17	R
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